

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

v.

DONNA ROWE,

Movant.

No. 2:05-cr-0128 LKK AC

ORDER

Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 24, 2014, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Movant has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 24, 2014, are adopted in full;


2. Respondent's motion to dismiss movant's 28 U.S.C. § 2255 motion, ECF 469, is granted;

3. Movant's 28 U.S.C. § 2255 motion, ECF No. 462, is dismissed with prejudice based on the statute of limitations;

4. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

5. The Clerk of the Court is directed to close the companion civil case, No. 2:13-cv-2058 LKK AC.

DATED: April 23, 2014.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT